

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:15-CR-00172-F-11

UNITED STATES OF AMERICA

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v.

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O R D E R

ADRIANN ROSHANDA CURRIE,
Defendant.

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This matter is before the court on Adriann Roshanda Currie's Motion for Sentence Reduction [DE-679]. In her motion, Currie argues that she is entitled to a sentence reduction pursuant to Amendment 794 to the United States Sentencing Guidelines. *Id.* at 1.

The court's authority to modify a sentence is extremely narrow. There are only three circumstances in which modification is allowed: (1) upon motion of the Director of the Bureau of Prisons; (2) as permitted by statute or Federal Rule of Criminal Procedure 35; and (3) where the relevant sentencing guidelines have changed since sentence was imposed. *See* 18 U.S.C. § 3582(c)(1)(A), (1)(B), and (2).

A review of the record reveals that on July 25, 2016, Currie filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-566]. In her sole claim, Currie argued that she was entitled to relief under Amendment 794. In an order [DE-625] entered on October 13, 2016, Currie was advised that Amendment 794 is not retroactively applicable on collateral review, and her motion was denied.

Then, on October 31, 2016, Currie filed a motion [DE-638] to reduce her sentence pursuant to 18 U.S.C. § 3582(c)(2) based on Amendment 794. In an order [DE-639] entered on November 1, 2016, the court advised Currie as follows:

As the court explained in its Order dated October 13, 2016, the U.S. Sentencing Commission did not make Amendment 794 retroactive . . . Thus, the instant matter does not fall within any of the three circumstances in which the court may modify a term of imprisonment.

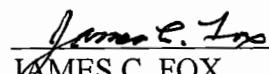
See Nov. 1, 2016 Order [DE-639] at 1.

As this court advised Currie previously, Amendment 794 does not offer her any relief.

Accordingly, Currie's Motion for Sentence Reduction [DE-679] is DENIED.

SO ORDERED.

This, the 12 day of January, 2017.



JAMES C. FOX
Senior United States District Judge